

PROCEEDINGS OF THE COMMON COUNCIL

IN REGULAR SESSION
TUESDAY, NOVEMBER 22, 19 77

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

The Common Council of the City of Fort Wayne met in the Council

Chambers Tuesday evening November 22 A.D., 19 77, in
Regular Session. President John Nuckols in the chair,
and Charles W. Westerman Clerk, at the desk, present the following

members _____ viz:

BURNS ☒ _____, HINGA ☒ _____, HUNTER ☒ _____,

MOSES ☒ _____, NUCKOLS ☒ _____, DONALD SCHMIDT ☒ _____,

VIVIAN SCHMIDT ☒ _____, STIER ☒ _____, TALARICO ☒ _____,

ABSENT _____

COUNCILMAN _____, _____, _____,

_____, _____, _____,

The invocation was given by _____

Received report from the City Controller for the month of October,
19 77. Motion made and carried that report be made a matter of record and placed
on file.

The minutes of the last Regular _____, 19 _____,

_____, 19 _____,

Special _____, 19 _____,

Session having been delivered to the Council, were, on motion, approved and
published.

DATE _____ MADE A MATTER OF RECORD
CHARLES W. WESTERMAN, CITY CLERK

CITY CONTROLLER'S AND CITY TREASURER'S MONTHLY FINANCIAL STATEMENT

MONTH OF OCTOBER, 1977

FUNDS	BEGINNING BALANCE	RECEIPTS FOR MONTH	TOTAL BALANCE AND RECEIPTS	DISBURSED TO DATE	DISBURSED FOR MONTH	TOTAL DISBURSED	CONTROLLER'S ENDING BALANCE
GENERAL FUND	506,453.34	621,707.61	1,128,160.95	12,962,766.61	1,395,689.78	14,358,456.39	267,528.83
ELECTRIC	40,137.49	2,722,384.52	2,762,522.01	21,021,463.48	2,761,558.60	23,783,022.08	963.41
WATER	30,627.20	1,462,994.55	1,493,621.75	9,598,280.01	1,414,642.82	11,012,922.83	78,978.93
SEWER	54,392.91	5,292,285.01	5,346,677.92	55,102,569.39	5,346,728.76	60,449,298.15	50.84
CIVIL CITY PAYROLL FUND	152,432.26	1,181,888.01	1,334,320.27	11,490,305.74	1,309,457.41	12,799,763.15	24,862.86
COOPER TRUST FUND	139.64	0.00	139.64	50.00	0.00	50.00	139.64
R-51 ANTHONY WAYNE BANK	5,113.33	0.00	5,113.33	287,622.54	0.00	287,622.54	5,113.33
REDEVELOPMENT/W. MAIN ST. PROJ	50,012.84	0.00	50,012.84	4,860,066.35	20,538.00	4,880,606.35	29,474.84
CETA	1,126,745.20	604.62	1,127,349.82	6,477,283.64	696,164.70	7,173,448.34	431,185.19
AVIATION	303,043.40	586,921.26	889,964.66	1,845,350.62	657,456.17	2,502,806.79	232,508.49
PARK GENERAL	175,430.97	118,810.10	294,241.07	4,734,532.36	281,013.33	5,015,545.69	13,227.74
PARK TRUST	59,310.61	143,251.44	202,562.05	1,295,170.29	194,671.07	1,489,841.36	7,890.58
REDEVELOPMENT GENERAL	15,440.26	1,600.00	17,040.26	72,825.33	7,889.10	80,714.43	9,151.16
R-53 REVOLVING FUND	15,543.29	7,456.78	23,000.07	76,711.15	8,260.14	84,971.29	14,739.93
REDEVELOPMENT DIST. BOND FUND	16,963.39	4,800.00	23,763.39	235,865.48	0.00	235,865.48	23,763.39
MOTOR VEHICLE HIGHWAY FUND	602,801.20	141,510.79	744,311.99	2,900,020.83	217,804.69	3,117,825.52	526,507.30
E.E.O.C.-706 CONTRACT	10,257.62	0.00	10,257.62	0.00	0.00	0.00	10,257.62
PARKING ADMINISTRATION	8,542.19	5,000.00	13,542.19	30,872.50	2,322.55	33,195.05	11,219.64
PUBLIC LIGHTING	69,549.26	74,409.01	143,958.27	458,546.68	90,863.77	549,410.45	53,094.50
REVENUE SHARING TRUST FUND	141,056.00	0.00	141,056.00	35,895.93	1,783.55	37,679.08	142,839.55
ANTI RECESSION PNJP	360,409.90	589,174.00	949,583.90	5,706,820.38	522,373.08	6,229,193.46	427,210.82
HUMANE TRUST 37000.	140,802.09	0.00	140,802.09	320,281.93	40,486.71	360,768.64	100,315.38
LOCAL RD. & STS.	9,055.83	1,035.00	10,090.83	11,941.06	1,115.00	13,056.06	8,975.83
MUNICIPAL UTILITIES PENSION	507,572.70	889,354.22	1,396,926.92	2,941,287.13	424,972.97	3,366,360.10	971,953.95
FIRE PENSION FUND	10,762.60	8,525.83	19,288.43	83,571.12	8,628.88	92,600.00	10,659.55
POLICE PENSION FUND	281,154.15	39,338.15	320,492.30	971,656.49	109,036.85	1,080,693.34	356,852.85
SANITARY OFFICERS PENSION	257,062.36	40,667.88	307,730.24	1,020,167.35	117,306.43	1,137,473.82	327,720.92
FORT WAYNE ART SCHOOL	3,275.22	2,965.96	6,241.18	53,323.76	5,765.30	59,089.06	475.88
REDEVELOPMENT DISTRICT CAPITAL	112.02	0.00	112.02	0.00	0.00	0.00	112.02
CUMULATIVE CAPITAL IMPROVEMENT	354,673.50	0.00	354,673.50	119,069.93	308,822.44	427,892.37	45,851.06
FINE ARTS FOUNDATIONS	84,720.79	0.00	84,720.79	186,781.66	2,858.29	189,639.95	81,862.50
ACCIDENT REPORT ACCOUNT	2,457.43	1,000.00	3,457.43	19,650.00	0.00	19,650.00	3,457.43
PAYROLL PENSION FUND	5,509.57	2,085.00	7,594.57	24,885.42	506.57	25,391.99	7,488.00
CRIME PREVENTION BUREAU TRUST	0.00	231,700.00	231,700.00	2,035,804.14	231,700.80	2,267,504.94	0.00
ET. WAYNE FIREFIGHTING FUND	45.90	0.00	45.90	17.10	0.00	17.10	45.90
PARK CUP. BLDG. FUND	133,357.65	0.00	133,357.65	304,725.43	562.79	305,288.22	132,754.86
SUB. IPA GRANT	481.97	0.00	481.97	943,250.00	0.00	943,250.00	481.97
IND. A-14 REDEVELOPMENT	0.00	0.00	0.00	93.94	0.00	93.94	0.00
OKNIBUS CRIME CONTROL	19,698.91	0.00	19,698.91	1,522.79	0.00	1,522.79	19,698.91
CETA PAYROLL FUND	46,330.25	77.60	46,407.85	98,062.99	11,377.09	109,440.08	35,030.76
JUNK CAR FUND	24,736.24	417,632.78	442,369.02	5,501,204.61	827,274.78	6,328,479.39	384,905.76
INNER CITY STORM RELIEF PROJ.	9,209.42	0.00	9,209.42	3,320.22	126.06	3,446.28	9,083.36
STREET BOND FUND/1975	1,227.35	0.00	1,227.35	0.00	0.00	0.00	1,227.35
STREET BOND RETIREMENT	179,099.91	150,000.00	329,099.91	1,187,578.52	156.57	1,187,735.09	328,943.34
FEDERAL REVOLVING FUND	147,365.00	12,530.21	159,895.21	196,292.54	196,292.54	196,292.54	134,434.79
	22,689.33	6,000.00	28,689.33	75,530.78	9,023.28	84,554.06	19,666.05

CITY CONTROLLER'S AND CITY TREASURER'S
FINANCIAL STATEMENT
OCTOBER, 1977

INVESTMENTS	BEGINNING BALANCE	RECEIPTS FOR MONTH	TOTAL BALANCE & RECEIPTS	DISBURSED TO DATE	DISBURSED FOR MONTH	TOTAL DISBURSED	CONTROLLER'S ENDING BALANCE
(12) UTILITIES-ELECTRIC	4,050,000.00-	2,400,000.00	1,650,000.00-	18,100,000.00	2,400,000.00	20,500,000.00	4,050,000.00-
(13) UTILITIES-WATER	1,100,000.00-	750,000.00	350,000.00-	4,300,000.00	800,000.00	5,100,000.00	1,150,000.00-
(14) UTILITIES-SEWER	7,950,000.00-	4,850,000.00	3,100,000.00-	48,100,000.00	4,500,000.00	52,600,000.00	7,600,000.00-
(17) R-51 AWE	100,000.00-		100,000.00-	285,000.00		285,000.00	100,000.00-
(18) RED. W. MAIN ST.	1,250,000.00-		1,250,000.00-	4,375,000.00		4,375,000.00	1,250,000.00-
(20) AVIATION	150,000.00-		150,000.00-	375,000.00		375,000.00	150,000.00-
(21) PARK GENERAL				1,575,000.00	100,000.00	1,675,000.00	250,000.00-
(22) PARK TRUST	125,000.00-	125,000.00		1,575,000.00		1,575,000.00	
(26) RED. DIST. BOND	53,000.00-		53,000.00-	1,460,000.00	160,000.00	1,620,000.00	160,000.00-
(28) M.V.H.				127,000.00		127,000.00	53,000.00-
(32) PARKING AIM.	50,000.00-	50,000.00		1,125,000.00	100,000.00	1,225,000.00	100,000.00-
(34) REVENUE SHARING				350,000.00	50,000.00	400,000.00	50,000.00-
(36) ANTI RECESSION				1,450,000.00		1,450,000.00	
(38) LOCAL RD. & STS.				190,000.00		190,000.00	
(44) REDEVELOPMENT DIST. CAPITAL	850,000.00-	450,000.00	400,000.00-	2,500,000.00		2,500,000.00	400,000.00-
(54) FORT WAYNE FIRE FIGHTING				200,000.00	275,000.00	275,000.00	275,000.00-
(55) PARK CUMM.	158,000.00-		158,000.00-	933,000.00		933,000.00	158,000.00-
(80) ST. BOND FUND 1975	150,000.00-	150,000.00		800,000.00		800,000.00	
(99) INVESTMENTS	3,950,000.00-	2,450,000.00	1,500,000.00-	19,349,000.00	400,000.00	19,749,000.00	1,900,000.00-
TOTALS	19,936,000.00-	11,225,000.00	8,711,000.00-	106,194,000.00	8,785,000.00	114,979,000.00	17,496,000.00-

CITY CONTROLLER'S AND CITY TREASURER'S MONTHLY FINANCIAL STATEMENT

MONTH OF OCTOBER, 1977

FUNDS	BEGINNING BALANCE	RECEIPTS FOR MONTH	TOTAL BALANCE AND RECEIPTS	DISBURSED TO DATE	DISBURSED FOR MONTH	TOTAL DISBURSED	CONTROLLER'S ENDING BALANCE
COMMUNITY RENEWAL PROGRAM	11,226.45-	5,723.00	5,503.45-	15,274.14	333.39	16,207.53	5,836.84-
IPA	0.00	0.00	0.00	52.43	0.00	52.43	0.00
E.D.A. GRANT	14,121.37	34,614.00	48,735.37	48,817.52	6,567.92	55,405.44	42,147.45
COMMUNITY DEVELOPMENT GRANT	35,723.44	147,716.02	183,439.46	978,033.44	175,370.38	1,153,403.82	8,069.08
RECREATIONAL SUPPORT PROGRAM	28,030.33	0.00	28,030.33	3,011.65	24,337.50	27,349.15	3,682.83
INVESTMENTS	3,950,000.00-	2,450,000.00	1,500,000.00-	19,349,000.00	400,000.00	19,749,000.00	-1,900,000.00
SARR ST. RIVERBANK IMP.-CD&P	1,308.60	0.00	1,308.60	2,656.00	0.00	2,656.00	1,308.60
FIRE PENSION FUND - 5/1/77	287.17	56.96	344.13	0.00	0.00	0.00	344.13
POLICE PENSION FUND - 5/1/77	1,367.04	541.12	1,908.16	0.00	0.00	0.00	1,908.16
CATV REVOLVING FUND	512.00	0.00	512.00	0.00	0.00	0.00	512.00
TITLE XX - CD & P		1,248.69	1,248.69	0.00	0.00	0.00	1,248.69
TOTALS	455,030.95	17,398,010.99	17,853,041.94	175,691,799.04	17,635,567.52	193,327,366.56	217,474.42



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

office of the mayor

November 10, 1977

To the Common Council
Gentlemen and Mrs. Schmidt:

Today, November 10, 1977, I have approved the following ordinances passed by Common Council at its regular meeting on November 8, 1977.

(Bill No. S-77-10-20)
SPECIAL ORDINANCE NO. S-228-77

AN ORDINANCE approving an Agreement to Purchase Real Estate from Mr. Eugene Schlink for Neighborhood Care, Inc.

(Bill No. S-77-10-21)
SPECIAL ORDINANCE NO. S-229-77

AN ORDINANCE approving an Agreement to Purchase Real Estate from Mr. & Mrs. Phil Andrews for Neighborhood Care, Inc.

(Bill No. R-77-11-01)
RESOLUTION NO. R-60-77

A RESOLUTION transferring certain funds in the 1977 Budget of the Purchasing Department, Metro. Human Relations Department, Communications, Traffic Engineering Department, Park Department and Redevelopment

(Bill No. Z-77-08-31)
ZONING MAP ORDINANCE NO. Z-31-77

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. C2

(Bill No. Z-77-08-32)
ZONING MAP ORDINANCE NO. Z-32-77

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. C9

MADE A MATTER OF RECORD
DATE 1-22-77 CHARLES W. WESTERMAN, CITY CLERK



(Bill No. Z-77-09-23)
ZONING MAP ORDINANCE NO. Z-33-77

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. C2

(Bill No. G-77-08-35)
GENERAL ORDINANCE NO. G-42-77

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of subdivision, street and easement

(Bill No. S-77-10-29)
SPECIAL ORDINANCE NO. S-230-77

AN ORDINANCE approving Change Order No. 1 in connection with Improvement Resolution No. 5723-76

(Bill No. S-77-10-30)
SPECIAL ORDINANCE NO. S-231-77

AN ORDINANCE approving a contract with Little Turtles Territories, Inc., for construction of a sanitary sewer

(Bill No. S-77-10-31)
SPECIAL ORDINANCE NO. S-232-77

AN ORDINANCE approving a contract with St. Vincent Catholic Church for construction of a sanitary sewer

(Bill No. S-77-10-32)
SPECIAL ORDINANCE NO. S-233-77

AN ORDINANCE approving a contract with North Eastern Construction Company, Inc., for construction of a sanitary sewer

(Bill No. S-77-10-33)
SPECIAL ORDINANCE NO. S-234-77

AN ORDINANCE approving a contract with AMFED SERVICE CORP., for construction of a sanitary sewer

(Bill No. S-77-10-38)
SPECIAL ORDINANCE NO. S-235-77

AN ORDINANCE approving contracts with Preferred Products and General Electric Company for materials for City Street Lighting Department

(Bill No. S-77-10-34)
SPECIAL ORDINANCE NO. S-236-77

AN ORDINANCE approving a contract with John Dehner, Inc., for materials for Three Rivers Filtration Plant

(Bill No. S-77-10-35)
SPECIAL ORDINANCE NO. S-237-77

AN ORDINANCE approving a contract with Water Works Suppliers for materials for Water Maintenance & Service Dept.

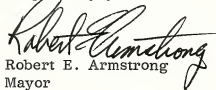
(Bill No. S-77-10-36)
SPECIAL ORDINANCE NO. S-238-77

AN ORDINANCE approving a contract with Hefner Chevrolet Inc., for 1 Station Wagon for Water Engineering Department

(Bill No. S-77-10-37)
SPECIAL ORDINANCE NO. S-239-77

AN ORDINANCE approving a contract with Poinssatte Motors Inc., for two mid-size Sedans for Water Engineering Department

Respectfully yours,


Robert E. Armstrong
Mayor



THE CITY OF FORT WAYNE

COMMUNITY DEVELOPMENT & PLANNING

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

DATE 11-22-77 MADE A MATTER OF RECORD
CHARLES W. WESTERMAN, CITY CLERK

November 9, 1977

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-74-10-08

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
9th day of November, 1977.

Joseph N. Adair

Joseph N. Adair
Secretary



THE CITY OF FORT WAYNE

COMMUNITY DEVELOPMENT & PLANNING
CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

November 9, 1977

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment.

1. Bill No. Z-74-10-08

This ordinance was requested to be withdrawn by written request of the attorney representing the petitioner, as attached to the ordinance.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

CITY PLAN COMMISSION


Gary Bagten
Land Use Administrator

GB:kks

Attachment

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on November 9, 1977, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-74-10-08; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on November 18, 1974; and,

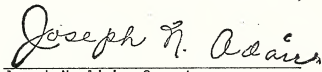
WHEREAS, a letter requesting WITHDRAWAL of the proposed ordinance has been filed with the City Plan Commission by the attorney representing the petitioner;

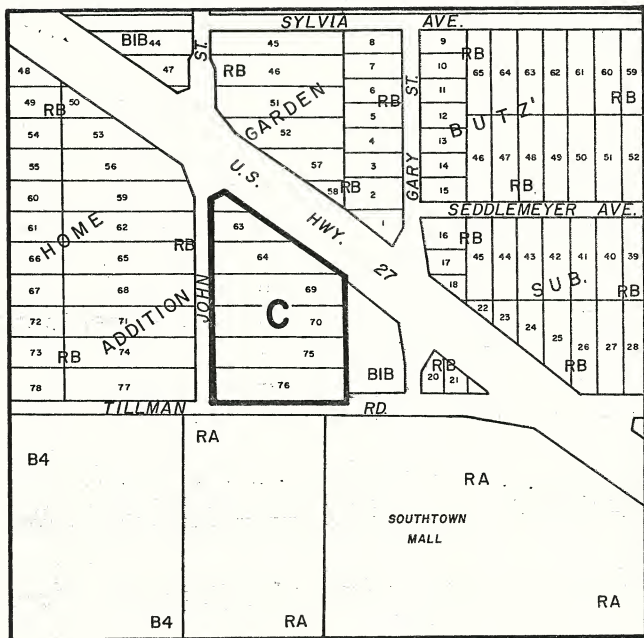
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be withdrawn in accordance with the written request of the attorney representing the petitioner;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held March 25, 1974.

Certified and signed this
9th day of November, 1977.


Joseph N. Adair, Secretary



C CHANGE FROM RB TO BIB

2-74-10-08



LAW OFFICES

ROTHBERG, GALLMEYER, FRUECHTENICHT & LOGAN

SOL ROTHBERG
GEORGE E. FRUECHTENICHT
THOMAS D. LOGAN
PHILLIP E. GUTMAN
JOHN H. HEINEY
VERN E. SHELDON
DONALD M. AIKMAN

MARTIN T. FLETCHER
DAVID A. TRAVELSTEAD
RICHARD D. ROBINSON
THOMAS M. GALLMEYER
RICHARD E. FOX
RICHARD H. BLAICH

AREA CODE 219
TELEPHONE 422-8454

INDIANA BANK BUILDING
FORT WAYNE, INDIANA
46802

THOMAS A. GALLMEYER
OF COUNSEL

November 10, 1977

Mr. Gary F. Baeten
City Plan Commission
8th Floor City-County Building
One Main Street
Fort Wayne, Indiana 46802

Re: Zoning Petition #Z-74-10-08

Dear Gary:

This letter is to inform you that the above captioned zoning petition for property lying near the intersection of Tillman Road and John Street in Fort Wayne, Indiana, is hereby withdrawn.

Sincerely yours,

ROTHBERG, GALLMEYER,
FRUECHTENICHT & LOGAN


Thomas M. Gallmeyer

TMG:ct



ADMINISTRATIVE BUILDING COUNCIL

300 GRAPHIC ARTS BUILDING
215 NORTH SENATE AVENUE
INDIANAPOLIS, INDIANA 46204

November 10, 1977

Mr. Charles W. Westerman
City Clerk
The City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Dear Mr. Westerman:

Fort Wayne General Ordinance No. G-30-73, an ordinance amending the Building Code of the City of Fort Wayne to provide for making buildings accessible to, and usable by, the physically handicapped, was, and is, subject to approval by the Administrative Building Council before enactment under the provisions of Section 32 of the Indiana Code of 1971, Title 22, Article 11, Chapter 1. It was forwarded by you to this office on August 18, 1977, reviewed by the staff, and presented to the Council in open meeting on August 31, 1977.

The Ordinance was disapproved by the Council on the grounds that many features contained within it were redundant to the existing Construction Rules and Regulations, Volumes I and III; and Official Regulation No. 7 promulgated by the Indiana State Fire Prevention Commission; and, in numerous instances in conflict with them.

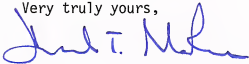
The Administrative Building Council is following closely, and working with, national efforts to provide uniform regulations for the construction of barrier-free buildings for use by the physically handicapped. Their efforts are also coordinating with the Office of the State Fire Marshal, whose rules for new construction are contained within Official Regulation No. 7. The authority of both agencies for construction is limited to buildings only. It is not extended to land use or site development. Regulations pertaining to non-building features are properly within the jurisdiction of local units of government. The authority of the Administrative Building Council is further restricted to new construction only. It does not extend to existing structures, except in special instance. The Indiana legislature, by its Acts of 1969, designated that Indiana shall have

Page Two
Charles W. Westerman
November 10, 1977

one set of building rules and regulations for the entire state. Under these restrictions it is not possible for a local unit of government, nor for the Administrative Building Council, to adopt, verbatim, broadly stated special standards to accomodate building construction for specialized uses.

It may be proper, however, for a local unit of Indiana state government, to enact those portions of rules and regulations that fall within their authority: (i.e. land use and site development), and that may correlate.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Donald T. MacRae".

Donald T. MacRae, PE, F.ASCE
State Building Commissioner

DTM:bh

MADE A MATTER OF RECORD
DATE 11-22-77 CHARLES W. WESTERMAN, CITY CLERK



THE CITY OF FORT WAYNE

COMMUNITY DEVELOPMENT & PLANNING

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

MADE A MATTER OF RECORD
DATE 11-22-77 CHARLES W. WESTERMAN, CITY CLERK

COMMUNICATIONS FROM CITY PLAN COMMISSION - NOV. 17, 1977

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the facation of Tar-rington Drive.

The proposed ordinance is designated as:

BILL NO: G-77-08-19

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed
this 17th day of Nov., 1977.

Joseph N. Adair
Secretary



THE CITY OF FORT WAYNE

COMMUNITY DEVELOPMENT & PLANNING

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

November 17, 1977

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one street vacation acted upon by the City Plan Commission at their regular meeting held October 24, 1977. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. G-77-08-19
2. Intended Use: Vacated street right-of-way will be utilized by the abutting property owners.
3. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendations for the following reason:

- a. The street serves no one other than petitioners.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING


Gary F. Baeten
Land Use Administrator

GFB:kks

Attachment

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on August 19, 1977, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. G-77-08-19; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

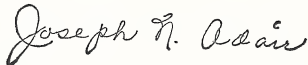
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on October 17, 1977;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and conflicts with the overall City Plan; and,

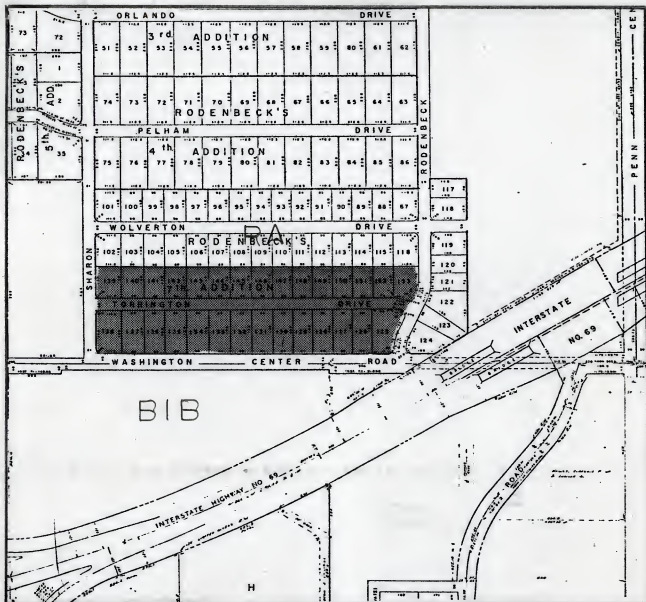
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held October 24, 1977.

Certified and signed this
17th day of November, 1977.



Joseph N. Adair
Secretary



MAP NO. AA-19
7-20-77

G-77-08-19

BY RK.

65-131-13 11/7/77

R E S O L U T I O N

WHEREAS, NORBERT C. LERCH and HILDA M. LERCH have petitioned and requested the FORT WAYNE CITY PLAN COMMISSION to hold a public hearing upon the vacation of the following described property and street situated in Fort Wayne, Allen County, Indiana, to-wit:

Lots 125 thru and including Lots 153 located within Rodenbeck's 7th Addition, in Allen County, Indiana, as recorded in Plat Book 31, Page 16-17, in the Office of the Recorder of Allen County, Indiana

Torrington Drive running from its intersection with Sharon Drive to its intersection with Rodenbeck Drive. Petitioners would show that this section of Torrington Drive lies between separates Lot 125 thru 138, and Lots 139 thru 153 in Rodenbeck's 7th Addition, and borders no other real estate therein.

All public utility easements in, over or upon Lots 125 through and including Lot 153 located in Rodenbeck's 7th Addition, and Addition to the City of Fort Wayne, Indiana.

Any and all easements in, over or upon Torrington Drive running from its intersection with Sharon Drive and its intersection with Rodenbeck Drive.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code Section 18-7-5-46; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said public hearing was held by the City Plan Commission on October 17, 1977, and said vacation was approved by the City Plan Commission on October 24, 1977.

WHEREAS, said vacation of subdivision, street and easements has been routed thru the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Electrical Department, Park Board and thru the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said portion of subdivision, street, and easements, hereinbefore described conforms to the general policy and pattern of Development as set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED BY the Board of Public Works that the vacation of said public property, hereinbefore described be and the same is hereby approved subject to the following:

- a. Required easements as requested by Indiana and Michigan Electric Company.
- b. Required five (5) additional feet of right-of-way for a grand total of forty five (45) feet from the centerline of Washington Center Road, as requested by Street Engineering Department.

BE IT FURTHER RESOLVED no public utility occupying and using said property, street and easements, or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

STATE OF INDIANA }
COUNTY OF ALLEN } SS:

I, Henry P. Wehrenberg, Chairman of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works following a Board of Works Meeting held on Nov. 7, 1977, and as the same appears of record in the official records of said Board of Public Works.

DATED THIS 7th DAY OF November, 1977.

FORT WAYNE BOARD OF PUBLIC WORKS

Henry P. Wehrenberg
Henry P. Wehrenberg, Chairman

Ethel H. LaMar
Ethel H. LaMar, Member

Max G. Scott
Max G. Scott, Member



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

office of the mayor

November 17, 1977

To the Common Council
Gentlemen and Mrs. Schmidt:

Today, November 17, 1977, I have approved the following ordinance passed by Common Council at its regular meeting of November 8, 1977.

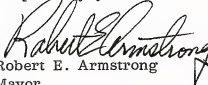
(Bill No. Z-77-08-15)

(As Amended)

ZONING MAP ORDINANCE NO. Z-30-77

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. EE2

Respectfully yours,


Robert E. Armstrong
Mayor





THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

office of the mayor

November 18, 1977


To the Common Council
Gentlemen and Mrs. Schmidt:

Today, November 18, 1977, I have approved the following ordinance passed by Common Council at its regular meeting of November 8, 1977.

(Bill No. A-77-10-19)
APPROPRIATION ORDINANCE NO. A-21-77

AN ORDINANCE APPROPRIATING FUNDS FROM THE GENERAL FUND TO PAY THE FEE FOR AN ATTORNEY HIRED TO WORK ON LITIGATION AND OTHER MATTERS INVOLVING THE SO CALLED "EAST END ANNEXATION"

Respectfully yours,


Robert E. Armstrong
Mayor





THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

office of the mayor

VETO MESSAGE

I, Robert E. Armstrong, Mayor of the City of Fort Wayne, with a deep sense of personal regret, must veto Bill No. G-77-07-29 (as amended), General Ordinance No. G-41-77.

I have consistently supported a merit system for the Fort Wayne Fire Department. I firmly believe that the time has come for professionalism to replace politics in the Fire Department, which is by far one of the best administered and most efficient of all our city departments.

Unfortunately, the implementation of Ordinance No. G-41-77 will disrupt the heretofore excellently administered department. In addition to legal conflicts with existing statutes and contradictions, numerous weaknesses in the structure of the ordinance suggest that it is more a political document than a prudent legal document. Obviously, an ordinance which purports to remove politics from the Fire Department and establish a merit system should not in itself be constituted solely on political considerations. Furthermore, those anxious for a merit system will be ill-served by this ordinance, as the numerous legal problems contained in the ordinance will inevitably result in several years of court action, thereby effectively postponing the implementation of a fire merit system for years to come.

I firmly believe that City Council can do a much better job of drafting a fire merit ordinance which meets the legal requirements for such an ordinance and which will, because of its structure, be acceptable to all the parties involved in a fire merit plan.

I concur with the Fort Wayne Firefighters who have reviewed this ordinance and found it sorely lacking in acceptability. Ordinance No. G-41-77 does not solve the problems and does not remove politics from the Fire Department. It merely serves to create new levels of dissension and confusion.

It is important that it be understood that two statutes govern the proposed ordinance and for clarification, I am setting out a brief explanation:

MADE A MATTER OF RECORD
DATE 1-22-77
CHARLES W. WESTERMAN, CITY CLERK



VETO MESSAGE

Page Two

- 1) The 1971 Powers of Cities Act (I. C. 18-1-1.5-2 et seq.) gives the City power to:

"(n) establish a system of employment with respect to any class of employees under which such employees would have security of employment and would be hired, promoted, demoted, transferred, compensated and accorded other benefits and advantages on the basis of merit and qualification" (emphasis added).

Under I. C. 18-1-1.5-17 authority to provide a method or procedure for the exercise of this power (there being no state law providing for it) is conferred upon the common council of the city; provided that council's manner of so providing may not conflict with the 1971 Powers of Cities Act, or any other law. The latter would include the 1905 Cities and Towns act (I. C. 18-1-1-1 et seq.), chapter 11, section 1 of which (I. C. 18-1-1-1) provides for a department of public safety under the charge of a board of three commissioners appointed by the mayor and, further that:

"such board shall have the care, management, supervision and exclusive control of all matters and property relating to or connected with the fire and police forces" (emphasis added)

In section 2of the same chapter it is provided that:

"The board shall appoint... a chief of the fire force and all other officers, members and employees of such fire... force."

It is also prescribed that these commissioners "may fix the number of members of the such... fire force". Section 3 of this chapter (I. C. 18-1-11-3) prescribed the basis and method under which the Board of Safety may discipline a wrongdoing officer.

Nothing in the 1971 Act specifically repeals these provisions of the older 1905 Act. Therefore, under the generally accepted rules of statutory interpretation, they must be read together and construed so as to give maximum effect, while assuming a minimum of conflict, to each statute.

- 2) The 4th paragraph of Section 7 of the ordinance denies the Board of Public Safety access to the personnel records of the Fire Department which result from the activities of the proposed commission. In view of the Board of Public Safety's responsibility and function and the need for the mutual support of the Board of Public Safety and the proposed commission, it would seem most inappropriate and inefficient. It is plainly contrary to I. C. 18-1-11-1.
- 3) The method of selection of the firefighter members of the proposed commission, while not contrary to state statute, does call for political activity within the Fire Department and a subsequent election.

VETO MESSAGE

Page Three

- 4) The provisions of the proposed ordinance call for the appointment of a fifth commissioner by unanimous selection of the other four proposed commissioners. Failure of unanimous selection would result in no fifth commissioner being selected; hence, the board would not be legally constituted. This would mean that the board would be unable to act, thereby jeopardizing the management and workings of the Fire Department. There are no provisions in the ordinance if unanimous consent for a fifth commissioner is not obtained.
- 5) Section 9 of the ordinance sets out seventeen job descriptions which subject is not applicable to a merit bill or system and is clearly under the law and responsibility of the Board of Public Safety.
- 6) Section 13, while recognizing the statutory authority of the Board of Public Safety to promote and demote, contains a very awkward provision preventing a fire chief from being promoted in permanent rank while holding the position of chief, despite the fact that he may otherwise qualify. The net effect would require the fire chief to resign for six months, which again could be disruptive to the operation of the Fire Department, or that the fire chief would be discriminated against so far as permanent promotion of rank.
- 7) Section 14A deals with continuing competency of firemen - certainly appropriate to a merit system. However, in case of failure to meet triennial testing requirements, the consequence is not ineligibility for promotion testing, but rather demotion to the next lower grade. This seems to partake of the character of discipline, which under I.C. 18-1-11-3 is the province of the Board of Public Safety and requires that a specific "due process" procedure be followed. This section, in my opinion, is clearly contrary to state law.
- 8) Section 14B deals with the challenge of the competency of a fire officer and also falls in the area of a disciplinary process. This section excludes the Board of Public Safety from the prescribed statutory system for dealing with such charges and is therefore illegal.
- 9) Section 15 purports to create a grievance procedure for firemen unhappy with the way the ordinance is applied to them. The procedure seems typical of those found in collective bargaining agreements. I question the legality of "Step III", "binding arbitration", on the basis that it probably is an invalid delegation of power and hence ultra vires.
- 10) Section 16 provides not only that the commission is to conduct competitive examinations and interviews of all firefighters, not later than 15 months after the ordinance is adopted, but is to make individual appointments to

VETO MESSAGE

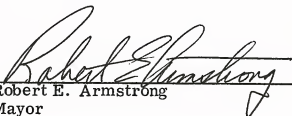
Page Four

each rank from lieutenant through district chief. The testing, interviewing and probable resulting eligibility ranking is part of the merit process and appropriate to the commission, but under I. C. 18-1-11-2 appointing fire force officers is the province of the Board of Public Safety. I do not believe that I. C. 18-1-1. 5-17, which authorizes the city to establish a merit system for hiring, promoting, demoting and transferring a particular class of employees, such as the firemen, can properly be interpreted to amend I. C. 18-1-1. 5-17 so as to remove the board's appointing authority as distinguished from collating it with a system for determining eligibility for appointment.

- 11) Section 18 purports to create two new officer grades in the Fire Department. This is clearly within the duties and responsibilities of the Board of Safety and not related to a merit system. Sections 20 and 21 are also within the duties and responsibilities of the Board of Public Safety.
- 12) Section 22 infers that promotions as well as ratings are the province of the merit commission, when clearly that statute requires promotions to be made by the Board of Public Safety as other language in the proposed ordinance recognizes. This ambiguity would undoubtedly render that section invalid.
- 13) Finally, section 24 provides that the ordinance "shall be effective on adoption", which is plainly invalid. No city ordinance is effective until it is also (1) signed by the mayor (I. C. 18-1-6-2 Ninth and I. C. 18-1-3-6), and (2) promulgated (I. C. 18-1-3-6).

I am certain that a concerted joint effort between the members of the Council, representatives of the firefighters, and the Mayor, will result in a true fire merit ordinance being achieved.

Signed this 18th day of November, 1977.


Robert E. Armstrong
Mayor

REA:ip

MADE A MATTER OF RECORD
DATE 11-22-77 CHARLES W. WESTERMAN, CITY CLERK


President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board
of Public Safety Regulatory Resolution Number: 67/77/E

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolution a matter of record and
incorporate them into the minutes of the next Common Council
Meeting.

Respectfully submitted,


William L. Kerr, Sr.
Acting Chairman
Board of Public Safety

REGULATORY RESOLUTION NO. 67/77/E

(Adopted November 10, 19 77)

WHEREAS, Section 7-4a (3), Chapter 17, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 50/77/E & 51/77/E;

REG. RES. 50/77/E: STOP INTERSECTION (EMERGENCY)

REG. RES. 51/77/E: NO PARKING (EMERGENCY) FINAL RENEWAL, and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated November 8, 19 77, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 7-4(a) (3) of Chapter 17 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No. G-55, adopted FEB. 14, 1961, to make experimental regulations to cover special conditions,

it is hereby ordered, effective November 10,

19 77, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

REGULATORY RESOLUTION 50/77/E
STOP INTERSECTION (EMERGENCY)
Rumsey Ave. -- stop -- for Richardson St.

REGULATORY RESOLUTION 51/77/E FINAL RENEWAL -
NO PARKING (EMERGENCY)
Wilt St. -- north side -- from Broadway to Nelson St.

RETURN CERTIFICATE

(Regulatory Resolution No. 67/77/E)

I hereby certify that I did this 10th day of
November, 19 77 deliver to each, the City Traffic
Engineer, the Chief of Police, the City Attorney, The City
Clerk and the President of the Common Council of the City
of Fort Wayne, Indiana, respectively, a copy of the within
Regulatory Resolution No. 67/77/E of the Board of Public
Safety of the City of Fort Wayne, duly certified by me as
Acting Chairman
~~XXXXXXXXXX~~ of said Board, in accordance with the provisions
of Section 17-4(a) of Chapter 17, Municipal Code of the City
of Fort Wayne, Indiana 1946, as amended by General Ordinance
G-55, adopted FEB. 14, 1961.



Acting Chairman
~~EXECUTIVE SECRETARY~~

DATE _____ MADE A MATTER OF RECORD
CHARLES W. WESTERMAN, CITY CLERK


President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board
of Public Safety Regulatory Resolution Number: 68/77/E
69/77/D

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolution a matter of record and
incorporate them into the minutes of the next Common Council
Meeting.

Respectfully submitted,


William L. Kerr, Sr.
Acting Chairman
Board of Public Safety

REGULATORY RESOLUTION NO. 68/77/E

(Adopted November 16, 19 77)

WHEREAS, Section 7-4(a) (3), Chapter 17 Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to NO PARKING 6:00 A.M. to 9:00 A.M. 3:00 P.M. to 6:00 P.M.

(EMERGENCY)

; and,

WHEREAS, the City Traffic : Engineer has, by written memorandum dated November 15, 19 77, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 7-4(a) (3) of Chapter 17 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No. G-55 adopted FEB. 14, 1961. to make experimental regulations to cover special conditions, it is hereby ordered, effective November 16,

19 77, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

NO PARKING 6:00 A.M. to 9:00 A.M. 3:00 P.M. to 6:00 P.M. (EMERGENCY)

Rudisill Blvd. -- North side -- from Lillie St. to Winter St.

REGULATORY RESOLUTION NO. 69/77/D

(Adopted November 16, 1977)

WHEREAS, Section 7-4(a) (2), Chapter 17, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55, adopted FEB. 14, 1961. authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 121 of said chapter as so amended delegates to this Board authority to NO PARKING
(DELEGATED)

_____ ; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated November 10, 19 77, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority delegated to this

Board by Section 121 of Chapter 17, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55 adopted FEB. 14. 1961. it is hereby

ordered, effective November 16, 1977, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

NO PARKING (DELEGATED)

Huesis Ave. -- north side -- from Broadway to 125 ft. west thereof

Broadway -- west side -- from Huestis Ave. to 75 ft. north thereof

RETURN CERTIFICATE

(Regulatory Resolution No. 68/77/E)

69/77/D

I hereby certify that I did this 16th day of
November, 19 77 deliver to each, the City Traffic
Engineer, the Chief of Police, the City Attorney, The City
Clerk and the President of the Common Council of the City
of Fort Wayne, Indiana, respectively, a copy of the within
Regulatory Resolution No. 68/77/E of the Board of Public
Safety of the City of Fort Wayne, duly certified by me as
Acting Chairman
~~Secretary~~ of said Board, in accordance with the provisions
of Section 17-4a) of Chapter 17, Municipal Code of the City
of Fort Wayne, Indiana 1946, as amended by General Ordinance G-55, adopted FEB. 14, 1961.



Acting Chairman
~~EXECUTIVE SECRETARY~~

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of
Public Safety Regulatory Resolution Number: 70/77/E

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolution a matter of record and
incorporate them into the minutes of the next Common Council
Meeting.

Respectfully submitted,



William L. Kerr, Sr.
Acting Chairman
Board of Public Safety

DATE _____
MAYOR MATTHEW D. BLOOM
CHARLES W. WESTERMAN, CITY CLERK

REGULATORY RESOLUTION NO. 70/77 /E

(Adopted November 21, 19 77)

WHEREAS, Section ¹⁷⁻⁴(a) (3), Chapter 17, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with re-
RENEW & EXTEND REGULATORY RESOLUTION 52/77/E:
gard to STOP INTERSECTION (EMERGENCY)

_____ ; and,

WHEREAS, the City Traffic : Engineer has, by written memorandum dated November 18, 19 77, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section ¹⁷⁻⁴(a) (3) of Chapter 17 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55. adopted FEB. 14. 1961. to make experimental regulations to cover special condi-

tions, it is hereby ordered, effective November 21,

19 77, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Dalman Ave. -- stop -- at Warsaw St.

RETURN CERTIFICATE

(Regulatory Resolution No. 70/77/E)

I hereby certify that I did this 21st day of November, 1977 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, The City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. 70/77 E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as ~~Secretary~~ ^{Acting Chairman} of said Board, in accordance with the provisions of Section ~~17-4~~ (a) of Chapter 17, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance G-55, adopted FEB. 14, 1961.



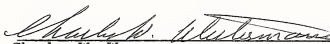
Acting Chairman
~~XXXXXXXXXXXXXXXXXXXX~~

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 22nd day of November, 19 77 that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this _____ day of _____, 19 ____.


Charles W. Westerman
City Clerk